

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Bradley, *et al.*

SERIAL NUMBER: 09/853,343

FILING DATE: May 10, 2001

EXAMINER: Prabha Chunduru

ART UNIT: 1637

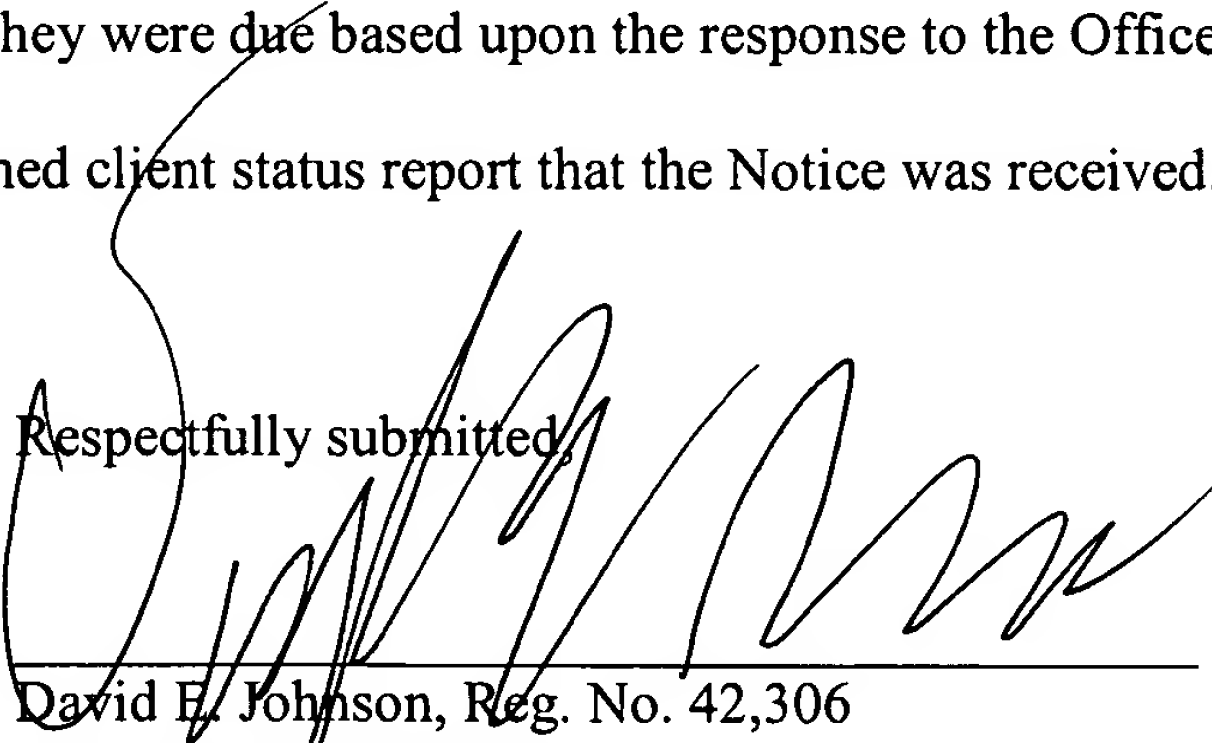
TITLE: ARTICLES OF MANUFACTURE AND METHODS FOR ARRAY BASED ANALYSIS
OF BIOLOGICAL MOLECULES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF NONRECEIPT

I hereby state that the Notice Regarding Drawings sent on March 31, 2005 was not received by Applicant's representatives. The attached client status report shows the different cases for Applicant, the Actions or Notices received from the Office, the date they were received by Applicant's representatives and the date they were due based upon the response to the Office. There is no indication in the file or the attached client status report that the Notice was received.

Respectfully submitted,


David H. Johnson, Reg. No. 42,306
Attorney for Applicants
c/o MINTZ LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel.: (617) 542 6000
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Customer No. 30623

Dated: October 12, 2005

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Attorney Docket No: 27476-505CIP2



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RESPONSE TO NOTICE REGARDING DRAWINGS

In response to the Notice Regarding Drawings sent on March 31, 2005, Applicants submit a copy of the corrected Drawings, acceptable under 37 CFR 1.84.

The response was due on or before May 31, 2005. However, Applicants did not receive the Notice Regarding Drawings. Based on Applicants review of the file wrapper for the application on the Patent Application Information Retrieval website ("PAIR"), the Notice was apparently sent to Applicants' previous representative and returned as undeliverable to the USPTO. Applicants note that the USPTO was notified that correspondence should be sent to the undersigned in papers filed by Applicants on September 30, 2003 and October 15, 2003.

To the extent the application has been considered abandoned for failure to respond to the Notice, Applicants request that this response is treated as a request to withdraw the holding abandonment. The request is on the ground that the Notice was never received, which is in accordance with *Delgar v. Schulyer*, 172 USPQ 513 (D.D.C. 1971) (holding that the Office should mail a new Notice of Allowance in view of evidence supporting that Applicant's representative did not receive the original Notice). The attached client status report lists items for the Applicant that had been docketed and responded to in the time subsequent to the mailing

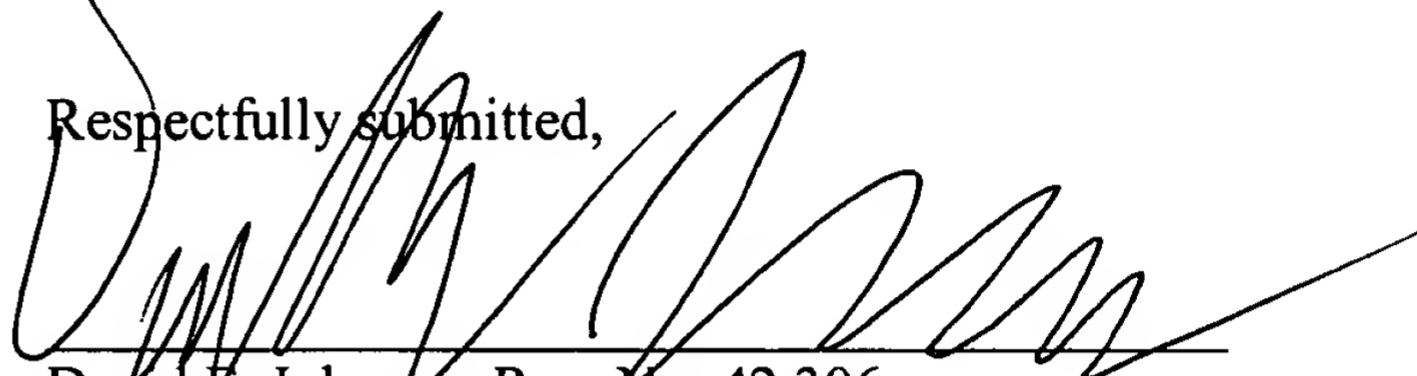
APPLICANTS: Bradley, *et al.*

SERIAL NUMBER: 09/853343

the March 31, 2005 Notice. No Actions or Notices from the Office were received for the above-identified application. A statement attesting to the nonreceipt is attached.

The Commissioner is authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 27476-505CIP2).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David E. Johnsen', is written over a horizontal line.

David E. Johnsen, Reg. No. 42,306

Attorney for Applicants

c/o MINTZ LEVIN

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Boston, Massachusetts 02111

Tel.: (617) 542 6000

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Dated: October 12, 2005



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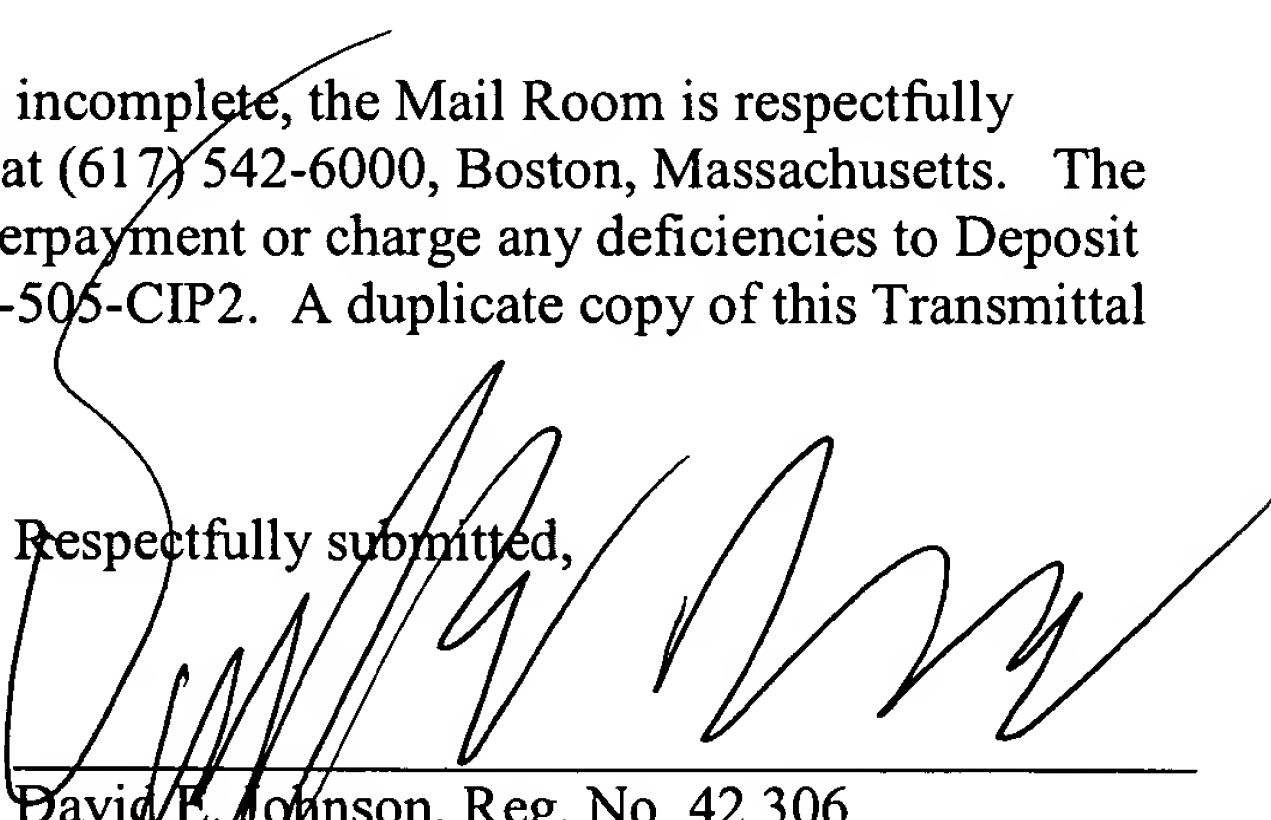
TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Response to Notice Regarding Drawings (2 pgs);
2. Client Status Report (1 pg);
3. Statement of Nonreceipt (1 pg);
4. Copy of Corrected Drawings under 37 CFR 1.84 (1 pg);
5. Change of Attorney's Address in Application (1 pg); and,
6. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts. The Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 27476-505-CIP2. A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,



David E. Johnson, Reg. No. 42,306
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Boston, Massachusetts 02111
Tel.: (617) 542 6000
Fax: (617) 542-2241
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